

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of this Reply, claims 1-25 are pending in the application, with 1 and 14 being the independent claims. Claim 1 has been amended to define the present invention with greater clarity. Claim 14 has been amended to correct a typographical error. No new matter is added by the foregoing amendments.

Based on this Reply and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Allowance of Claims

Applicant acknowledges with appreciation the Examiner's allowance of claims 13-25.

Rejection under Judicially Created Doctrine of Obviousness-Type Double Patenting

The Examiner provisionally rejected claims 1-13 under the judicially created doctrine of obviousness-type double patenting over claims 1-12 of Applicant's co-pending Application No. 10/734,645, in view of Martinez et al U.S. Patent No. 6,319,161.

In response to the foregoing rejection, Applicant submits herewith Terminal Disclaimers in compliance with 37 CFR §1.321(c) to overcome the provisional double patenting rejection. The Terminal Disclaimers further correct a defect in the previously submitted Terminal Disclaimer filed to overcome the double patent rejection over Applicant's U.S. Patent No. 6,663,518. The prior Terminal Disclaimer erroneously stated that the Applicant, Todd A. Kuhn, was the owner of the entire interest in both the '518 patent and the present application. Applicant, acting pro se, did not appreciate the

significance of stating the correct ownership of the '518 patent and the present application.

Submitted concurrently herewith is an Assignment confirming that parent U.S. Patent No. 6,663,518 (and all applications that claim the benefit of the '518 patent, including non-provisional applications, continuing (continuation, divisional, or continuation-in-part) applications, reissues, extensions, renewals and reexaminations of the '518 Patent, including, but not limited to, U.S. Patent Application No. 10/684,197, filed October 14, 2003, and U.S. Patent Application No. 10/734,645, filed December 15, 2003) was assigned to 2XJ Enterprises effective June 1, 2003.

The Terminal Disclaimer submitted herewith corrects the inadvertent error made by Applicant when submitting the prior Terminal Disclaimer.

It is believed that the accompanying Terminal Disclaimers fully overcome the present and prior double patenting rejections of claims 1-13.

Rejection Under 35 U.S.C. §102(e)

Claims 1-7 and 11-13 stand rejected under 35 U.S.C. §102(e) as being allegedly anticipated by U.S. Patent No. 6,319,161 to Martinez, et al. This ground of rejection is respectfully traversed with respect to claims 1-7 and 11-13 as amended above.

The Martinez broadhead does not contribute rotational torque to the arrow. As stated at Col. 3, lines 52-53, of Martinez, it is the "vanes 34 [that] increase rotational spinning and stabilization of the arrow when it is in flight. . . ." There is no teaching or suggestion in the Martinez patent that the broadhead itself has an airfoil-type shape that produces a rotational torque about the longitudinal axis of the broadhead ferrule.

For at least the foregoing reason, it is respectfully submitted that Martinez does not teach or suggest Applicant's herein claimed invention. Reconsideration and withdrawal of this ground of rejection is therefore respectfully requested.

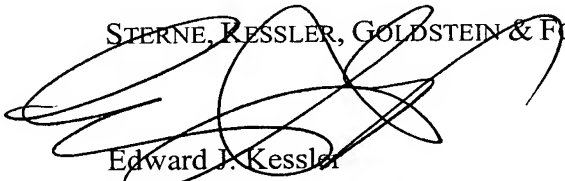
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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